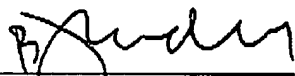


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**(703) 816-4091*****FACSIMILE COVER SHEET***  
**PLEASE DELIVER IMMEDIATELY!!!!**Our Ref.: 1498-130  
Your Ref.: Appln No. 09/529,722 Date: February 14, 2005To: Central Fax Number  
Firm: USPTO - Group 1652  
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B. J. SadoffATTACHMENT/S: Notice of Hearing Confirmation; Notice; Credit Card Payment Form;  
Request for Continued Examination (RCE) Transmittal; Amendment; copy of first pages  
of EP 524448; WO 99/14336; WO01/20002; WO 00/24878; WO 01/31028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
In re Patent Application of			
SQUIRRELL et al.		Atty. Ref.:	1498-130
Serial No.	09/529,722	Group:	1652
Filed:	April 19, 2000	Examiner:	Steadman
For:	METHOD FOR OBTAINING LUCIFERASE FREE OF THERMOSENSITIVE ADENYLATE KINASE CATALYTIC ACTIVITY		

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## DATES DOCKETED

Confirmation by 2/14/05  
Hearing March 10, 2005  
Feb. 10, 2005

Paper No: 0

B.J. Sadoff  
Nixon & Vanderhye, PC  
1100 N. Glebe Road  
8th Floor  
Arlington, VA 22201-4714

Appeal No:

Appellant:

Application No:

Hearing Room:

Hearing Docket:

Hearing Date:

Hearing Time:

Location:

2005-0397

David J. Squirrell et al.

09/529,722

B

A

Thursday, March 10, 2005

1:00 PM

MADISON BUILDING (EAST WING)

600 Dulany Street

Alexandria, Virginia 22313-1450

## NOTICE OF HEARING

## CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47.

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

## CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

## BPAI HEARINGS FAX No:

(571) 273-0300

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(703) 872-9306

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BOARD OF PATENT APPEALS AND INTERFERENCES

UNITED PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number

## CHECK ONE:

☐ HEARING ATTENDANCE CONFIRMED☒ HEARING ATTENDANCE WAIVED

B.J. Sadoff  
Signature of Attorney/Agent/Appellant

Feb 11, 2005  
Date

36663  
Registration No.

MAILED

JAN 24 2005

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Names of other visitors expected to accompany  
counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact\\_info.htm](http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact_info.htm)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

SQUIRRELL et al.

Atty. Ref.: 1498-130; Confirmation No. 3335

Appl. No. 09/529,722

TC/A.U. 1652

Filed: April 19, 2000

Examiner: Steadman

For: METHOD FOR OBTAINING LUCIFERASE FREE OF THERMOSENSITIVE  
ADENYLATE KINASE CATALYTIC ACTIVITY

\* \* \* \* \*

February 14, 2005

**Board of Patent Appeals and Interferences**

United Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**NOTICE**

The applicants waive attendance at the Hearing scheduled for March 10, 2005, in Appeal No. 2005-0397 relating to Application Serial No. 09/529,722. Moreover, the Board is hereby noticed that a Request for Continued Examination (RCE) is being filed herewith (copy attached) such that Appeal No. 2005-0397 is being abandoned, without prejudice.

An Amendment to the claims is also being filed on the same date by facsimile to the USPTO Central fax number along with the RCE. A copy of the Amendment is not being submitted herewith to the Board however the same could be forwarded upon further request from the Board.

SQUIRRELL et al.  
Appl. No. 09/529,722  
February 14, 2005

The Board is requested to contact the undersigned if anything further is required with regard to this application or specifically Appeal No. 2005-0397.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



B. J. Sadoff

Reg. No. 36,663

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